

House File 2289 - Introduced

HOUSE FILE 2289

BY WHEELER

A BILL FOR

1 An Act relating to prohibiting abortion in the state, and
2 providing effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

ABORTION PROHIBITION

Section 1. NEW SECTION. 146E.1 Abortion — prohibited.

1. A person shall not knowingly perform, induce, or attempt to perform or induce an abortion in this state.

2. For the purposes of this section, "abortion" means the termination of a human pregnancy with the intent other than to produce a live birth or to remove a dead fetus.

DIVISION II

CONFORMING LEGISLATION

Sec. 2. CONFORMING LEGISLATION. The department of public health in cooperation with the office of the attorney general shall, in compliance with section 2.16, prepare draft legislation for submission to the legislative services agency, as necessary, for consideration by the general assembly during the legislative session immediately following the effective date of division I of this Act, to implement conforming changes in the Code resulting from the enactment of division I of this Act.

DIVISION III

EFFECTIVE DATE PROVISIONS

Sec. 3. EFFECTIVE DATE. Division I of this Act prohibiting abortion in this state takes effect thirty days after either of the following, whichever is earlier:

1. The issuance of a United States Supreme Court judgment in a decision overruling, wholly or partly, *Roe v. Wade*, 410 U.S. 113 (1973), as modified by *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), thereby allowing the states of the United States to prohibit abortion.

2. The adoption of an amendment to the United States Constitution that, wholly or partly, restores to the states the authority to prohibit abortion.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

1 This bill relates to prohibiting abortion in the state.

2 Division I of the bill prohibits a person from knowingly
3 performing, inducing, or attempting to perform or induce an
4 abortion in this state. The bill defines "abortion" as the
5 termination of a human pregnancy with the intent other than to
6 produce a live birth or to remove a dead fetus.

7 Division II of the bill requires that the department of
8 public health in cooperation with the office of the attorney
9 general shall, in compliance with Code section 2.16 (prefiling
10 legislative bills), prepare draft legislation for submission
11 to the legislative services agency, as necessary, for
12 consideration by the general assembly during the legislative
13 session immediately following the effective date of division
14 I of the bill, to implement conforming changes in the Code
15 resulting from the enactment of division I of the bill.

16 Division III of the bill provides that division I of the bill
17 prohibiting abortion in this state takes effect 30 days after
18 the earlier of either: the issuance of a United States Supreme
19 Court judgment in a decision overruling, wholly or partly, Roe
20 v. Wade, 410 U.S. 113 (1973), as modified by Planned Parenthood
21 v. Casey, 505 U.S. 833 (1992), thereby allowing the states of
22 the United States to prohibit abortion; or the adoption of
23 an amendment to the United States Constitution that, wholly
24 or partly, restores to the states the authority to prohibit
25 abortion.